

Region 8 Congressional and Intergovernmental Weekly Report
For the Week Ending September 11, 2016

1. Past Week's Happenings:

9/7: Congressional notification on the CFAC and Bonita Peak Mining District NPL listings.

Rep Tipton Statement:

<http://tipton.house.gov/press-release/tipton-responds-addition-bonita-peak-mining-district-superfund-program%E2%80%99s-national>

Senator Tester Statement:

http://www.testersenate.gov/?p=press_release&id=4747

Rep. Zinke Statement:

<https://zinke.house.gov/media-center/press-releases/zinke-reacts-washington-dc-epa-decision-cfac>

2. Upcoming Hearings/Meetings/Notifications

3. Legislative Updates

TBD- As early as next week, action on a FY 2017 Continuing Resolution (CR) - We are hearing it will eventually be a three month CR through mid-December

4. New or Outstanding Letters/Correspondence:

New Correspondence:

9/1: Sarah Bahrman received a request from the interim Water Resources Review Committee of the Colorado legislature. Representative Ed Vigil, chair of the committee, has requested a briefing on lead in Colorado drinking water systems at the September 20 committee meeting. The meeting will be at the State Capitol. Additionally, Sarah forwarded a voice message from the committee staff asking her participation, stating that one of the topics and reason that they want EPA to be present is to give a national perspective on Flint and other drinking water problems elsewhere. There are concerns about participating as R8 shouldn't be expected to brief the state legislature on national program issues. Mike Gleason has also been provided this information.

Jack Bowels also sent this note: National policy currently is that EPA doesn't testify or provide record testimony for state legislative hearings and similar proceedings. There have been multiple instances in recent years where RAs have desired to do so (per the Touhy regs); in all cases it has not happened. The most recent example is New York State, where it was decided to send an

informational letter to the state legislature rather than accept their rather insistent invitation for EPA to testify at a PFOA hearing.

Outstanding Requests:

9/1: Senator Tester (MT) sent a letter to the Administrator urging that asbestos be among the first ten chemicals for evaluation under the updated TASCAs reform act. Region 8 CC'd and HQ will provide a response.

8/11: Congressman Cramer (ND) sent a letter to the Administrator on North Dakota's application for state primacy over the Class VI injection well activities. In the letter the Congressman asks what work has been completed, what work remains unfinished, why hasn't a decision been made, and when does EPA anticipate a decision being made? **Update:** On hold for a month or so.

8/9: Senator Tester (MT) sent a letter to the Administrator and the Chief of the U.S. Forest Service to thank the agencies on the fire preparedness at the Libby Superfund site. Senator Tester also expressed some concerns in the letter that there continues to be a significant risk in the case a significant fire breaks out near the site, and making sure there are adequate resources available. Region 8 will respond with RA signature. **Update:** Shaun has signed the letter and has been forwarded the FS for Shawna Legarza, Director of Fire and Aviation Management signature.

Sent Items:

9/8: Followed up with a phone call and email response, Wendy Silver prepared responses sent in the email.

RE: **8/25:** Congresswomen Mia Love (UT) staff sent a request for information regarding on a case in which EPA and the Army Corps are working on restoring the Saratoga Harbor Marina. I am working with HQ to find out more information on what this pertains to, most likely Corps and section 404 issues. (Working with Art on this, may not be able to respond other than this case has been referred to DOJ).

9/8: The Administrator had a call with Governor Herbert on 9/7, and we can close out the letter as answered.

RE: **8/23:** UT Governor Gary Herbert sent a letter to the Administrator requesting assistance in developing effective air quality regulations for the Uinta Basin that address crucial state and local interests. He shared his expectation that the EPA submitted a tribal-specific FIP to OMB for review will be "consistent with but no stricter than state oil and gas regulations." (Hopefully out next week)

5. Congressionals and Other Elected Officials in the News/on Social Media

AGENDA:

Fight over stopgap spending will dominate fall session

George Cahlink, E&E reporter

Published: Tuesday, September 6, 2016

<http://www.eenews.net/eedaily/2016/09/06/stories/1060042338>

WATER POLICY:

Stakeholders hopeful WRDA will move through chamber soon

Tiffany Stecker, E&E reporter

Published: Tuesday, September 6, 2016

<http://www.eenews.net/eedaily/2016/09/06/stories/1060042340>

EARTHQUAKES:

Record-tying Okla. quake draws EPA into seismic issue

Mike Soraghan, E&E reporter

Published: Tuesday, September 6, 2016

<http://www.eenews.net/energywire/2016/09/06/stories/1060042312>

AIR POLLUTION:

State, utility sue EPA over Utah haze plan

Sean Reilly, E&E reporter

Published: Tuesday, September 6, 2016

<http://www.eenews.net/greenwire/2016/09/06/stories/1060042368>

CLEAN WATER RULE:

Supreme Court asked to decide jurisdiction issues

Amanda Reilly, E&E reporter

Published: Tuesday, September 6, 2016

<http://www.eenews.net/greenwire/2016/09/06/stories/1060042359>

Judge freezes Dakota Access work near Missouri River

Ellen M. Gilmer, E&E reporter

Published: Tuesday, September 6, 2016

<http://www.eenews.net/eenewspm/2016/09/06/stories/1060042393>

WATER POLICY:

GOP trying to push WRDA through despite Reid objections

Marc Heller, E&E reporter

Published: Wednesday, September 7, 2016

<http://www.eenews.net/eedaily/2016/09/07/stories/1060042407>

LAW:

Court hands enviros big win on fracking review

Ellen M. Gilmer, E&E reporter

Published: Wednesday, September 7, 2016

<http://www.eenews.net/energywire/2016/09/07/stories/1060042412>

EARTHQUAKES:

EPA orders shutdown of disposal wells after Okla. quake

Mike Soraghan, E&E reporter

Published: Wednesday, September 7, 2016

<http://www.eenews.net/energywire/2016/09/07/stories/1060042410>

AIR POLLUTION:

EPA issues final version of Cross-State rule

Sean Reilly, E&E reporter

Published: Wednesday, September 7, 2016

<http://www.eenews.net/greenwire/2016/09/07/stories/1060042449>

AIR POLLUTION:

White House to review EPA modeling guideline changes

Sean Reilly, E&E reporter

Published: Wednesday, September 7, 2016

<http://www.eenews.net/greenwire/2016/09/07/stories/1060042438>

CAMPAIGN 2016:

15 House races where green issues are prominent

George Cahlink, E&E reporter

Published: Thursday, September 8, 2016

<http://www.eenews.net/eedaily/2016/09/08/stories/1060042480>

Note: mentions the Tipton (R) vs Schwartz (D) CO 3rd Congressional Dist. Race.

AIR POLLUTION:

EPA gives ground on NOx emissions in final cross-state rule

Sean Reilly, E&E reporter

Published: Thursday, September 8, 2016

<http://www.eenews.net/greenwire/2016/09/08/stories/1060042522>

EPA:

Agency wins White House recognition for composting

Kevin Bogardus, E&E reporter

Published: Thursday, September 8, 2016

<http://www.eenews.net/greenwire/2016/09/08/stories/1060042523>

EPA:

IG praises agency's response to problems with mold program

Gabriel Dunsmith, E&E reporter

Published: Thursday, September 8, 2016

<http://www.eenews.net/greenwire/2016/09/08/stories/1060042510>